

Appln No. 09/522,184
Amdt date September 8, 2004
Reply to Office action of June 8, 2004

REMARKS/ARGUMENTS

Claims 1, 3-14, 16-26, and 28-47 are currently pending and claims 48-94 are cancelled. Claims 1, 2, 14, 16, 17, 26, and 33 are amended. In view of the above amendments and following remarks, applicants respectfully submit that the application is in condition for allowance.

Per Examiner's request, a second set of copies for the above-mentioned IDSs were sent to the Examiner with the Amendment After Final Action, dated March 24, 2004. However, the Examiner has not acknowledged receipt of the IDSs that were filed on July 26, 2001, and August 14, 2002. **Applicants respectfully request acknowledgment of the above-mentioned IDSs by initialing and returning the attached copies of the same IDSs.**

The Examiner has raised concern over the number of pending claims and has suggested lowering the number of claims to about 30. As a courtesy to the Examiner and to expedite the allowance of this case, Applicants have cancelled claims 48-94 and thus reducing the number of pending claims to 44, of which only three are independent claims. However, Applicants reserve the right to pursue these claims in a Continuation application.

Responsive to the Examiner's question, the data pump claimed in claim 1 is always present, however, it demodulates the received signal, if the received signal is a modulated signal. Also, per Examiner's suggestion, the phrase "capable of" in claim 1 is deleted.

Claims 1, 3-5, 7, 14, 16-18, 26, 28-30, 35-39, 41, 48, 50-52, 57-63, 71, 73-75, 77, and 83-87 are rejected under 35 U.S.C.

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102(e) as being anticipated by Arimilli (US 6,515,984). Claims 6, 8-13, 19-25, 31, 40, 42-47, 53, 64-70, 76, 78-82, and 88-94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arimilli in view of Murphy (US 2002/0036791). Claims 31-34, 53-56, and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arimilli in view of Chen (US 6,611,531). Applicants submit that all of the claims currently pending in this application are patentably distinguishable over the cited references, and reconsideration and allowance of this application are respectfully requested.

The amended independent claims 1 and 14 include, among other limitations, "detecting whether the received signal is a modulated signal or a voiceband signal," and "selectively outputting onto the packet based network the encoded voiceband signal or the demodulated signal."

Arimilli does not teach the above recited limitations. Rather, Arimilli discloses a data multiplexing which multiplexes a plurality of asynchronous data channels with an asynchronous data stream representing compressed voice signals and/or facsimile signals onto a single synchronous data packet stream. (Abstract and Summary of the Invention, emphasis added). This single synchronous data packet stream is NOT a packet based network, because a packet based network, by definition, is asynchronous.

Arimilli further describes that a "data/voice/fax multiplexer 300a is configured to take voice information from telephone equipment, facsimile information from facsimile machines and asynchronous data from data terminal equipment

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(DTE) devices and combine this information and data for transmission over a single composite communications link." (Col. 4, lines 34-39, emphasis added). "The asynchronous data received by multiplexer 300 from the DTE devices is combined with packetized picture data and packetized compressed voice information for multiplexing and synchronous transmission over the composite link." (Col. 4, lines 61-65, emphasis added).

In contrast, the present invention, as claimed by claims 1 and 14, detects "whether the received signal is a modulated signal or a voiceband signal," and selectively outputs "onto the packet based network the encoded voiceband signal or the demodulated signal." Again, a packet based network, by definition communicates data asynchronously. Accordingly, claims 1 and 14 are not anticipated by Arimilli.

Amended independent claim 26, includes, among other limitations, "a signal processing system coupling the first and the second telephony devices to the packet based network, the signal processing system having means for detecting whether a received signal is the modulated signal or the voiceband signal, a voice encoder which encodes the voiceband signal, a data pump for demodulating the modulated modem data, and a channel interface which selectively outputs onto the packet based network only the encoded voiceband signal or only the demodulated modem data."

For the same reasons stated above, claim 26 is also not anticipated by Arimilli.

In short, the independent claims 1, 14 and 26 define a novel and unobvious invention over the cited references.

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Dependent claims 3-13, 16-25, and 28-47 are dependent from claims 1, 14 and 26, respectively and therefore include all the limitations of their respective independent claims and additional limitations therein. Accordingly, these claims are also allowable over the cited references, as being dependent from allowable independent claims 1, 14 and 26 and for the additional limitations they include therein.

In view of the above amendments and following remarks, applicants respectfully submit that the application is in condition for allowance, therefore, reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

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